

UNITED STATES DISTRICT COURT

for the

Western District of Texas

FILED

May 09, 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

United States of America

vs

)

)

Case No.

Francisco Ignacio
RODRIGUEZ-Lopez

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)

Defendant(s)BY: Fidel Morales
DEPUTY**EP:25-M-02288-MAT****CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 8, 2025 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:

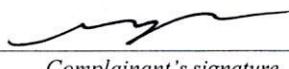
Count I: In violation of Title 50, USC 797(1) and (2)(A): willfully violate a defense property security regulation, that is a property security regulation which, pursuant to lawful authority was promulgated or approved by the Secretary of Defense, or by a military commander designated by the Secretary of Defense;

Count II: In violation of Title 18, USC 1382: within the jurisdiction of the United States, entered a military post, fort, or yard, that is, upon a TEXAS National Defense Area, for a purpose prohibited by law or lawful regulation, that is illegal entry into the United States; and

Count III: In violation of Title 8, USC 1326(a): being an alien to the United States, enter, attempt to enter, or was found in the United States after having been previously excluded, deported, or removed from the United States without receiving permission to reapply for admission to the United States from the Attorney General of the United States and the Secretary of Homeland Security, the successor pursuant to Title 6, United States Code, Sections 202(3), 202(4), and 557

This criminal complaint is based on these facts:

On May 8, 2025, DEFENDANT, an alien to the United States, entered on property of the United States Army specifically, the Texas National Defense Area (Tx-NDA), without having received authorization from the U.S. ARMY or any other appropriate United States official, to be in, enter upon or access said area.

Continued on the attached sheet and made a part hereof: Yes NoComplaint sworn to telephonically on
May 09, 2025 at 02:00 PM and signed
electronically. **FED.R.CRIM.P. 4.1(b)(2)(A)**

Complainant's signature

Alejandro Portillo, Border Patrol Agent

Printed name and title



Judge's signature

Miguel A. Torres, U.S. Magistrate Judge

Printed name and title

Sworn to before me and signed in my presence.

Date: May 9, 2025City and state: El Paso, Texas

CONTINUATION OF CRIMINAL COMPLAINT

WESTERN DISTRICT OF TEXAS

Francisco Ignacio RODRIGUEZ-Lopez

PEPT# PEPT250501026

05/09/2025

FACTS (CONTINUED)

The Tx-NDA is a portion of land within the Western District of Texas that was transferred by the U.S. International Boundary and Water Commission (USIBWC) to the U.S. Army after it was deemed necessary to establish a Tx-NDA along the U.S./Mexico border. The property transferred consists of multiple parcels of fee land located along the southern border of the United States, extending east from the American Dam at El Paso, Texas, for approximately 63 miles to Fort Hancock, Texas, and those fee parcels extending from the International Boundary line located at the centerline of the Rio Grande River to the dry side toe of the U.S. IBWC flood control levee, comprising approximately 2,000 acres.

Specific notice forbidding such access to the Tx-NDA was present and provided by conspicuous twelve inch by eighteen-inch red and white colored signs placed at least every one hundred feet apart along the southern edge of the Tx-NDA stating, in both English and Spanish, that the area is a restricted area, and that unauthorized entry is prohibited by authority of the commander in accordance with the Secretary of Defense. The signs are strategically positioned to ensure they are clearly visible from the riverbank and can be seen well in advance before approaching the border fence structure. Additionally, electrical lighting is used during nighttime hours in large portions of the area from the western most portion of the Tx-NDA down river up to a mile east of the Ysleta Port of Entry. In the remaining portion of the Tx-NDA there are additional areas with lighting supplied during hours of darkness by power plant generators and other structures.

Based on the location of DEFENDANT's apprehension by U.S. Border Patrol, the DEFENDANT illegally crossed the international border from Mexico at a place not designated by immigration officers and entered the United States through the Tx-NDA.

The DEFENDANT, Francisco Ignacio RODIGUEZ-Lopez, an alien to the United States and a citizen of Guatemala was found approximately 1.22miles west of Paso Del Norte Port of Entry in El Paso, Texas, in the Western District of Texas. From statements made by the DEFENDANT to the arresting agent, the DEFENDANT was determined to be a native and citizen of Guatemala, without immigration documents allowing him to be or remain in the United States legally. The DEFENDANT has been previously removed from the United States to Guatemala on December 11, 2024, through Harlingen, Texas. The DEFENDANT has not previously received the expressed consent from the Attorney General of the United States or the Secretary of Homeland Security to reapply for admission into the United States.

Because this affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

Immigration History:

The DEFENDANT has been deported 1 time(s), the last one being to GUATEMALA on December 11, 2024, through HARLINGEN, TX

CONTINUATION OF CRIMINAL COMPLAINT

WESTERN DISTRICT OF TEXAS

Francisco Ignacio RODRIGUEZ-Lopez

PEPT# PEPT250501026

05/09/2025

FACTS (CONTINUED)

Criminal History:

NONE